

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA § CRIMINAL CASE NO.
 §
v. § 1:16-cr-00237-RWS-JSA
 §
JAMES G. MALONEY, §
 §
Defendant. §

**DEFENDANT'S MOTION TO CONTINUE
PRETRIAL CONFERENCE**

Defendant James G. Maloney files this Motion to Continue Pretrial Conference, respectfully moving the Court to continue the Pretrial Conference set in this action for Monday, May 1, 2023, at 1:30 p.m., until Monday, May 8, 2023, or a date thereafter.

Defendant's counsel, Craig Gillen and Anthony Lake, are currently in trial in the action of *United States v. Patel et al.*, case # 3:21-cr-00220-VAB, in the United States District Court for the District of Connecticut (*Patel* action). *See* Dkt. Nos. 153 & 154. The Government is expected to end its case-in-chief on Monday, April 24, 2023. The defense is expected to begin its case-in-chief on Wednesday, April 26,

2023. A true and correct copy of portions of the docket for the *Patel* action since the commencement of the trial is attached hereto as Exhibit A.

Counsel represent one of six defendants in the *Patel* action. The defense anticipates presenting witnesses during the defense's case-in-chief, including one or more expert witnesses. It is not certain how long the presentation of the defense's case-in-chief will take, or whether the Government will present a rebuttal case.

The Court in the *Patel* action will be in recess on Monday, May 1, 2023. However, counsel do not yet know what stage the trial will be in by that date. The defense may still be presenting its case-in-chief, may be preparing for rebuttal witnesses, or may be preparing for closing arguments.

Based upon the foregoing facts, Defendant respectfully requests that the Court continue the Pretrial Conference set in this action for Monday, May 1, 2023, at 1:30 p.m., until Monday, May 8, 2023, or a date thereafter. Counsel will submit Defendant's proposed *voir dire* questions to the Court by Wednesday, April 26, 2023, and will file any objections to the Government's proposed *voir dire* questions by Friday, April 28, 2023, as ordered in the Court's Order dated April 18, 2023. *See* Dkt. No. 182, p. 2. A proposed Order is attached to this Motion to Continue Pretrial Conference as Exhibit B.

Respectfully submitted, this 21st day of April, 2023.

GILLEN WITHERS & LAKE, LLC

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CERTIFICATION

The undersigned certifies, pursuant to N.D.Ga.L.Civ.R. 7.1D, that the foregoing document has been prepared with one of the font and point selections (Book Antigua, 13 point) approved by the Court in N.D.Ga.L.Civ.R. 5.1B.

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that, on this 21st day of April, 2023, the undersigned served the foregoing document by filing the document via the Court's Case Management/Electronic Case Filing (CM/ECF) system, which will automatically serve notice of such filing on the following attorneys of record:

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